

Remarks

Claims 1-8, 36-39 and 76-82 are pending in the application, with claims 1 and 36 being the independent claims. Claims 9-35 and 40-75 have been canceled without prejudice to or disclaimer of the subject matter therein. New claims 76-82 have been added.

Support for the amendment to claim 1 can be found, for example, in paragraphs [62] and [63] and in Fig. 3. Support for the amendment to claim 36 can be found, for example, in paragraph [49]. Support for new claims 76-82 can be found, for example, in paragraphs [43] to [45].

Based on the above Amendment and the following Remarks, Applicants respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Applicants would like to thank Examiner Cooney for the courtesies extended to the Applicants and the Applicants' Representatives during the personal interview of July 22, 2003. The interview was very helpful in advancing prosecution.

Claims 1-8 and 36-39 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 3,904,557 to Guthrie et al. ("Guthrie"), or in the alternative, by JP-62-263-028. As suggested by the Examiner during the personal interview and as recorded in the Interview Summary

Record, the present amendment to claim 1 more clearly distinguishes claim 1 over the cited references. The amendment grammatically clarifies that the mixing conditions are the conditions present in the mixing head and that these conditions provide for the pre-foam stream with alternating segments. Similarly, and as also discussed during the interview, claim 36 has been amended to recite “bands” to more clearly distinguish over the cited references. As such, it is respectfully submitted that claims 1 and 36 are allowable. Claims 2-8 depend from claim 1, and claims 37-39 depend from claim 36. Accordingly, claims 2-8 and 37-39 are at least allowable as depending from allowable claims.

Claims 76-82 have been added as additional dependent claims. Claims 76-82 are at least allowable as depending from allowable claims.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Applicants: Tolen et al.
Appl. No. 09/874,386

A Notice of Allowance with claims 1-8, 36-39 and 76-82 is respectfully requested.

Respectfully submitted,

Date: 07/18/03



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